# Kentucky Gazette.

[TWO DOLLARS AND A HALF] True to his charge—he comes, the Herald of a noisy world: News from all nations, lumb'ring at his back. [PER ANNUM, SPECIE IN ADVANCE.

NEW SERIES, No 22. VOL. 3. LEXINGTON, (KY.) FRIDAY EVENING, JUNE 2, 1826. WHOLE VOLUME, XI



TERMS
OF THE KENTUCKY GAZETTE FOR 1826.

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## Agricultural.

The great injury the farming interest has sustained since the last harvest by the ravages of the WEEVIL, as well as loss to the state of very many thousands of dollars for the purchase of flour brought from the states of Indiana, Ohio and Pennsylvania, is our apology as well for republishing the following articles, which appeared in our paper last year, as for some new ideas on the method of preserving wheat from that destructive insect. Harvest is now at hand, and all who incline to avail themselves of either the methods here mentioned, will have the information in due time.

*From the Maysville Eagle.*

### THE WEEVIL.

The enquiry of almost every farmer is, "How shall we preserve our wheat from the weevil?"

We answer—thresh it immediately, clean it from the chaff, spread it in a barn or open room, and if it acquires the least warmth, stir it daily.

The wheat which we received about the first of this month, which then had some weevil in the grain, we found heated in a few days. We spread and constantly stirred it for about two weeks; those then in ate their way out—none have since bred in it—it now lies in bulk without heating and we consider it greatly preferable to that which we are daily receiving from the threshing floor.

We have now several thousand bushels of wheat on hand, which was threshed from the shock and from the stack before the weevil commenced their ravages. It has been lying in garners near sixty days, and has been kept cool by frequent stirring; the weevil has not touched it—and we have no hesitation in saying, let their ravages be what they may in the stack, wheat thus cleaned and kept cool, will in all cases be free from the flying weevil.

We are now receiving a lot of a thousand bushels, which was threshed in July and early in August, run through the fan and spread in a large barn. It is perfectly cool, and has not received the least damage. All small lots, threshed and cleaned at about that time, and kept cool, we find in the same good order. It is also said that some who threshed and penned their wheat in the chaff before the weevil were visible, have saved it; but of this we speak with some doubt.

We now hear many speak of threshing and stowing away in the chaff. But those we would advise to be cautious; there is scarce a stack of wheat in the country entirely free from weevil, and that which remains but a small portion, will heat if packed away in the chaff. We have heard some wild theorists recommend this mode to heat the wheat, which they say, "will kill the weevil and destroy the egg from which they hatch."

This reminds us of the old story of the Dutchman who set fire to his barn to divest it of rats; for we know that wheat thus heated will never afterwards grow, nor will the flour made from it reward the miller for his labor of grinding.

It is not our design to enter into the natural history of this insect. We are desirous that the farmers should preserve their present and future crops of wheat from destruction; and being willing that they should profit by our short experience we freely tell them "that which we know."

This much, however, we will add, as mere opinion. We believe they are produced from an egg which, after being laid in the grain, requires a certain degree of heat to produce animation.—That portion which is produced by the straw in the stack, during the summer and fall, appears to be nature's choice. It is against that portion of heat we would have the farmers to guard, when we advise them to thresh and keep their wheat cool. Whether the egg is deposited in the field or in the stack, we pretend not to say, but we have rather concluded in the latter: but we can with safety say, that the wheat now on hand, which never went through the sweat, or which has never attained that heat to which nearly all wheat in the stack is subject, whether it contains the egg or not, has produced no weevil; and that which we have recently received from the stack, ceases to hatch or in any wise produce them, so soon as we can get it perfectly cool.

On these and other observations, too tedious for insertion, we advise those who would preserve their present crops, to thresh and clean them immediately; and those who would hereafter effectually guard against the flying weevil, advise to thresh from the shock or before the wheat takes the sweat.

N & N. HIXSON.

The Ohio Steam Mill.
*Maysville, Sept 20, 1825.*

### THE FLYING WEEVIL.

We are informed by a friend, that an easy and effectual preventive to the ravages made on wheat and other grain by the *Flying Weevil*, will be found in strewing over, and mixing through the threshed grain, *slack lime*;—that a peck of lime will answer for a thousand bushels. Those having their grain in stacks would do well to thresh it out immediately, and resort to this simple method of preventing its entire destruction. The grain can easily be cleansed from the lime by screening. This remedy is practised, as we are informed in the Southern states, where the weevil has been for some years very destructive to grain.

*Ohio Republican.*

### WEEVIL IN WHEAT.

As the weevil is making extensive destruction of the wheat in this part of the country, you will oblige many who are interested, by publishing the following receipt, which has been practised with success by Mr Benjamin Beasly of Brown county.

"As soon as the weevil make their appearance in the wheat it should be restacked, and on each layer of sheaves a small quantity of salt sprinkled which effectually prevents their doing further injury."—*Query:* Would it not answer the same purpose to thrash out the wheat and sprinkle salt thereon."—*Village Register.*

*From the Western Herald.*

Several practices have been recommended to prevent the ravages of this destroying insect. One method is to thrash or tread out the wheat and put it away in the chaff, in pens or garners; another to clean the wheat and expose it to the heat of the sun; another to scald it; another to mix some lime with the cleaned wheat. With whatever particular attention these different operations are performed, they must in a great degree, produce the same effect—that is to destroy the living insect, and to prevent the hatching of its young. But from an observation made a few days past by the writer of this article, he is of opinion, that exposure to the strong heat of the sun, fire, or scalding, are the only effectual means of destroying weevil in wheat. He discovered a great quantity of weevil in a parcel of wheat got out and cleaned for use, which had lain in the bulk for three or four weeks. On a close inspection of the wheat, he found on many of the grains a number of eggs or nits, which from the smallness of their size, and their color, being mostly a reddish cast, a little brighter than that of the wheat, but some nearly white, would escape observation unless sought with the views to see so small an object. They are generally, though not always in the crease or in enture, which divides the grain on one side. From the freshness of the eggs there can be no doubt that they are deposited by the weevil after it arrives at maturity—that it thus propagates its own species; and by this means in certain seasons becomes so numerous as to destroy whole crops of wheat when left to its ravages.

It is probable that this discovery of the egg or nit of the weevil may have never been made before, but if so it has never been heard of by the writer. This communication is made with a view of drawing the attention of the curious and attentive farmers to the subject, in the hope that their observations and experiments, will lead to a discovery of the best means of preserving our wheat from the destructive insect.

A FARMER.

August 25, 1825.

It is admitted by the farmers generally, that the egg which produces weevil, is deposited on the grain whilst standing in the field, and that it requires a certain degree of heat and moisture, to hatch the egg into a worm, previous to which it is entirely harmless; but as soon as the worm is produced, it immediately penetrates into the body of the grain, where it comes to maturity by passing through the changes common to flies: so that nothing more is necessary to preserve the grain, than to prevent it from acquiring that degree of heat and moisture necessary to hatch the egg.

It is believed by many that if wheat after cutting is left in the field several days, & suffered to get very dry, & then put up in small parcels, say one or two dozen sheaves together, so as to admit the air to pass through it freely, that for want of the necessary heat and moisture, the egg would never hatch; and what seems to warrant this belief is, that several small crops of wheat have we learn been saved from the weevil which have been managed in this manner; and as a farther confirmation, we have been informed by an observing farmer, that a few sheaves on the very top of a stack of his last crop, where it never went through a sweat and enjoyed a free current of air, were quite free from weevil, when the body of the same stack was entirely destroyed.

From taking a view of the different methods recommended in the foregoing extracts, we will venture to suggest the following:—Let your wheat lie on the stubble two or three days after cutting, if the weather is suitable—When it is thoroughly dry, take it into your barn or other houses and stack it away in the following manner: Lay a range of sheaves parallel to one of the walls the whole length of the wall, the ears toward the wall but not touching it—Lay a second course immediately on the first with the ears the contrary way, and so as that the ears extend beyond the cut ends of the sheaves of the first course; a third course is to be laid on the second with the ears projecting beyond the cut ends of the second &c. A second range is to be made parallel to the first so as to leave a distance of two or three inches between the ears of the first and second ranges, and in this manner proceed until the room is filled: By this method of stacking, the whole of the *grain* will be exposed between the different ranges to a free circulation of air, and it is believed will secure it entirely from the weevil—it is at least worth making the experiment.—EDITOR.

FROM THE FRANKFORT PATRIOT.

### TO THE PEOPLE.—No. 5.

"Fixit leges pretio atque refixit"
He made and marred laws at pleasure.
*Virgil Ec. VI 622.*

It is a maxim in law, that jurors upon their oaths are to answer to questions of fact; that to the questions of law, the judges are to answer.

If an individual is in the habit of giving contradictory statements, in serious and sober conversations upon the same subjects, his standing in society is therefore lessened: If a witness gives contradictory statements upon the same subject, when speaking seriously & soberly, when on oath & when not on oath; these contradictions are brought up against him to lessen his credit in courts of justice. When judges, called upon by their high official stations, and by their oaths of office, to answer deliberately, impartially and truly, to questions of law, are in the habit of contradicting themselves, the community have just cause to withdraw their confidence. Such contradictions are infallible evidences of want of capacity, or of want of some other of those qualifications which are essential to the character of a good and safe judge.

The case of Blair vs. Williams and Lapsley vs. Brashear, have been laid before the public by the Legislature of Kentucky. In those cases, the judges promulgate their new theory of the obligation of contracts, founded on the identity of right and remedy. It is not my intention to discuss that subject; but to shew very briefly how the principles of those decisions conflict with the former opinions of those judges.

The foundation of the whole superstructure in those cases of Blair vs. Williams and Lapsley vs. Brashear, is, that right and remedy is the same thing; and that the remedy existing at the date of the contract, constitutes its legal obligation; that the legislature cannot change the remedy *so as to make it more tardy* without violating the contract.

To support this new theory, they quote a passage from Bacon's Abridgment, vol. 1. title actions in general letter B. and 2 Black. Com. title courts in general, 2d. Thus where there is a legal right there is a legal remedy, and the want of right and the want of remedy, is the same thing.

1825. Lapsley vs. Brashear, and 4th Litt 58-59. Before this, however, judges Boyle, Logan and Owsley, had decided the case of the Commonwealth vs. M'Gowan, 4 Bibb 64; in which they expressly state, "the right existed before, to wit, from 1802 to 1809; but without such special remedy; the statute of limitations in personal actions, operates upon the remedy and not upon the right, as was virtually determined in the case of Graves vs. Graves Ex'rs" 2 Bibb 207. Upon this distinction between right and remedy, these judges did actually apply to the right existing in 1801, the new special remedy given by the legislature in 1809.

The opinion in Graves vs. Graves' executors, 1810, was drawn by Chief Justice Boyle himself; the court consisting also of Judges Wallace and Clark, and that opinion was also founded on the distinction between right and remedy. It is in that opinion, stated—"the statute of limitations does not affect the validity of the contract, but the time of enforcing it; or in other words, it does not destroy the *right* but withholds the *remedy*." Upon this distinction, the contract made in Virginia, and barred by the statute of limitations in Virginia, was nevertheless recoverable in Kentucky. And to support this opinion the Chief Justice refers very properly to Nash vs. Tupper, 1 New York Term Rep. page 402, and to Kams Prin. Equity 507.

Yet in Blair vs. Williams, 1823 this distinction between right and remedy, is denied by this same Chief Justice.

In Stanley vs. Earle, 1824, 5 Litt. 262, and in their response to the Legislature (pamphlet p 19.) Judges Boyle, Owsley and Mill, labour to prove that right and remedy are the same thing, identically the same. They repeat the assertion in these words; (opinion by Chief Justice Boyle.) "Hence it is that we are informed by Blackstone and other elementary writers, that whenever there is a legal right there is a legal remedy;" and 'that the want of remedy are the want of right are he same thing' 'If the remedy may be in any case taken away or destroyed & the legal right remain, there would then be a case in which there would be a legal right without a legal remedy, and it could not be true, that whenever there is a legal right there is a legal remedy." "And what notions of *identity* must they entertain, who, at the same time, they tell us that it may be truly and justly said, that the want of right and the want of remedy are the same thing, affirm that the want of remedy and the want of right, are not the same thing. If the want of right is the same thing as the want of remedy must be the same thing as the want of right, and to affirm that is not less absurd than to affirm *that the same thing may be and not be at the same time.* With such reasoners as these, we cannot enter the lists of controversy: they must be left to themselves, and with Lord Coke, we can only say to them "contra negantem principia non est disputandom," 5 Litt. Rep. 283.

Did not Chief Justice Boyle himself, say in M'Gowan vs the Commonwealth, 4 Bibb 64; that a 'right existed in the Commonwealth' from 1802 until the statute of 1809: but without 'remedy.' Did he not decide in that case, that the statute of limitations did not run: and did he not assign as one reason for it, that there was no remedy until that statute gave it? Read the case, p 64 and 65, and you will see that he assuredly did. He said moreover, 'the *remedy only* being barred, the legislature were competent to remove the obstacle by furnishing a *new remedy*' for this right which had so existed from 1802. Here then, from the Chief Justice's own mouth, in a judicial opinion delivered from the bench, was a right without a remedy, and that right so remained without a remedy, until the Legislature gave one. 'Again to Graves vs Graves' Ex'rs. 2 Bibb 208, drawn also by Chief Justice Boyle, he has furnished another case, where a *right* existed in Virginia, where the *remedy* was barred in Virginia by the long residence of both parties there, but where upon the removal of the defendants into this state, the right existed against him, and the suit was maintained here, because the statute of limitation of Virginia, did not destroy 'the right, but withholds the remedy.' Again, in 1823, in Butler vs. Butler, 4 Litt. Rep. 205, Judges Boyle, Owsley and Mills said, "it is the province of a court of equity to afford remedy, where conscience and law acknowledges a right but knows no remedy." In the petition for a rehearing in the case of Blair vs Williams, 4 Litt. Rep p 99, and following, their attention was called to the cases of the Commonwealth vs. M'Gowan in 1815, 4 Bibb 62; of Grubbs vs Harris in 1809, 1 Bibb 507; Rearden vs Searcy's heirs in 1710, 2 Bibb 202, Dixon's Executors vs Ramsey's Executors, 3 Cranch 319; Nash vs Tupper, 1 New York Term Reports, 402; Lodge vs Phelps, 1 Johnson's New York cases p t40; Learsell vs Dwight, 2 Massachusetts Reports 83; to Hubertus, and the translation of Lim 3 Dallas 370 to 373; in a note, Smith Spinola 2 Johns. Reports 108; Day's edition of Co. Litt. Vol 3, note 44; Ord. on Usury, p 32; and Crowning, shield vs Stirges, 4 Wheat 200, to shew the distinction between the right and the remedy. In this latter case, the Supreme Court said, that "the distinction between the obligation of a contract, and the remedy given by the Legislature to enforce that obligation, has been taken at the bar, and it exists in the nature of things. Without impairing the obligation of the contracts, the remedy may certainly be modified as the wisdom of the nation may direct. Notwithstanding all these cases, notwithstanding Judge Boyle himself, in the case of Graves vs Graves' Executors, 2 Bibb 209, had quoted Kaims' principles of equity, p 567, and Nash vs Tupper 1 New York term rep 402; yet these judges, in Blair vs Williams, asserted the identity of right and remedy, all these cases notwithstanding, by overruling the petition, and repeat this assertion in 1824, Stanley vs Earl, 5 Litt 282; and quote a passage from Bacon and Blackstone, to prove the identity of right and remedy. It would have been well for litigants and the whole community, if these were the first cases in which these judges have stuck in the bark, and mistaken the sense of their law books. Bacon and Blackstone in the passage quoted are speaking of courts and action, and are explaining in what courts and in what cases an action will lie, and for whom and against whom." And under this title, Bacon uses the expression which is quoted by the judges to prove the identity of right and remedy. The words are these "It is clear, that for all injuries done to a man's person, reputation or property, he shall have an action, and for every right he is to have a remedy; for want of right and want of remedy *are* the same thing." Bac Ab vol 1 actions in general (B) p 28. This is the passage by which all the solemn decisions of courts in England and in the United States is argued, and adjudged cases, are to be broken down—taken from an *abridgment*, or from a lecture to students. Bacon did not mean to assert the *identity* of *right* and *remedy* but that this 'same' thing which resulted from want of right and want of remedy, was a denial of action in court. In the next sentence after the one quoted by the judges, he says, 'where a man has *several* remedies' for the same right or injury, he may choose which he pleases. Where the law has not denied the right, nor denied the remedy, an action will lie. If the law has denied the right or denied the remedy, an action will not lie. The law has denied the right to take bond for money won by gaming; if the plaintiff sues upon such a bond, the appropriate remedy by action of debt, his action will not lie because the law has denied his right. So if the plaintiff for assumpsit upon a valid consideration, sues the appropriate action, but after the statute of limitations has denied the remedy, the plea of the statute withholds the remedy, and the action will not lie. So that 'the want of right and the want of remedy are the same thing.' What same thing? The failure of the action in court. The authors mean that they come to the same end. Where the right is denied, or where the remedy is denied by law, an action will not lie.

The identity of right and remedy, is not intended to be asserted; they are different. For the *same right*, a man may have an election of *several different remedies*, Co. Litt. 145; can several different things be the same thing? It is the *want* of *right* and the *want* of *remedy*, that produces the *identical same thing*, a *failure* of the action in court.

This is the *identity* resulting from the want of right or want of remedy. Suppose Coke says to Bacon, 'will you ride to day?' B. replies I want a horse. C. rejoins, you shall ride my horse. B. surrejoins, I want a saddle; and the want of a horse and the want of a saddle is the same thing.' Thus the proposed ride is obstructed. Now from this conversation, instead of proving that this 'same thing,' was obstruction to the ride, those sapient judges would reason—thus the want of the horse and the want of the saddle, is the same thing; therefore, a horse is a saddle, and a saddle is a horse. "And what notions of identity must they entertain, who admit that the *want* of the horse and the *want* of the saddle, was the same thing, and yet deny that a horse is a saddle, and a saddle a horse." "If the want of a horse is the same thing as the want of saddle, it is self evident, that the want of a saddle must be the same thing as the want of a horse; and to affirm that it is not, is not less absurd than to affirm that the same thing may be and not be at the same time. With such reasoners as these we cannot enter the lists of controversy. They must be left to themselves." Witness ourselves in Stanley vs Earl, 5 Litt. Rep. 282-3, and our response to the Legislature, p. 19.

By this mode of reasoning upon their 'principia,' they can easily prove that a tract of land is the action in court for it, and that the suit in court, is the land itself; that a suit for goods taken and carried away are the goods, and that the goods are the suits; one and the same identically. That cause is the effect and the effect the cause.

It would seem as if inconsistency was a prerogative belonging to these judges. After having decided before Lapsley and Brashear, that limitation operates upon the remedy not upon the right, in the cases before quoted, and having in Stanley and Earl, and in their response, p. 19, endeavoured to prove right and remedy the same thing; they have not progressed through two additional pages of their response, before they abandon this sameness of right and remedy, and ask "who denies that there is a difference perceptible by a common capacity." response p- 21. But in Stanley vs. Earl, 5 Litt Rep. 282, they say, "and what notions of *identity* must they entertain who at the same time they tell us that it may be truly and justly said, that the want of right and the want of remedy are the same thing,' affirm that the want of remedy and the want of right are not the same thing?

What say you Messrs. Boyle, Owsley and Mills. Can there be a right without a remedy? Is right and remedy the same thing! Answer; "often we have said no; twice we have said yes; but will those who deny our principia, that no and yes are the same, that different things are the same thing we will not enter the lists of controversy. Such reasoners must be left to themselves."

By their own opinions these judges are condemned. Out of their own mouths they are convicted. What remedy have they for their contradictions? What for their false reasoning and absurd conclusions? What right have they to complain that the people are tired of such judges, and have left such reasoners to themselves!

HAMPDEN SIDNEY.

*From the Louisville Public Advertiser.*

### JUDGE PECK OF MISSOURI.

This gentleman, as Judge of the District Court of the United States, for the District of Missouri, has recently been guilty of an act, so oppressive and unauthorized, that we deem it proper not to suffer it to pass unnoticed.

It appears that the decision of Judge Peck, in the case of the heirs of Antoine Souland vs the United States, was published with the consent, or by the order of the Judge in the Missouri Republican, of the 30th March last, and that a writer over the signature of "*A Citizen*," who believed the decision or decree to be erroneous, in various assumptions of fact, as well as several legal points, undertook in a stile perfectly calm and respectful, to point out those errors. The article signed "A Citizen," was published in the Missouri Advocate, of the 8th April and out of "term time." On the 16th April, being the first day of the session of the District Court, in St. Louis, a rule was served on the editor of the Advocate, by the deputy Marshall, requiring him to shew cause, on the following day at eleven o'clock, "why an attachment should not issue against him for a contempt of the court, in publishing the said *false* statement, tending to bring odium on the court," &c. The editor appeared by his counsel, and very properly contended.

"That the judge had no jurisdiction of the matter, *as a contempt.*

"That in point of fact (admitting the jurisdiction) the publication of the article was not a contempt, inasmuch as the article itself was a correct exposition of the positions, (be they erroneous or correct) therein ascribed to the judge, and the language and tone of it perfectly decorous."

The rectitude of these positions were denied, and the jurisdiction asserted by the Judge and the editor was detained in custody, until, with the consent of the writer of "A Citizen," he gave up his name, on oath to the Judge. Mr Foreman was then discharged, and a rule was made out against Mr. *Luke E. Lawless*, (whose name had been given up by the Editor,) requiring him to appear forthwith, "to shew cause why an attachment should not be issued against him, for the false and malicious statements in the said publication contained."—and, "why he should not be suspended, from practising in this court, as an attorney and counsellor at law, for the said contempt and evil intent."

On his appearance before the court, Mr. Lawless was *most graciously* informed, "that it was his privilege to answer interrogatories which would be put to him at his request." He expressed his unwillingness to beg his honor to interrogate him, as well as his determination, not to answer such questions as might be propounded to him.

Mr. Lawless "then denied the jurisdiction of the court, to punish in such a case, as for a contempt, either by fine or imprisonment, and still less by suspension from practice." He also averred that the article signed "A Citizen," was not contemptuous; and that it was a fair statement of the doctrines assumed by the court in the final decree in question.

His honor, Judge Peck, sitting in what may be properly termed his own case, then took it for granted, that Mr. Lawless was guilty of publishing false and malicious statements, with evil intent, &c. declared the rule absolute, and made the following order.

*U. States, vs L. B. Lawless*—The defendant in this case having refused to answer *the interrogatories*, and having persisted in the contempt, it is ordered adjudged and considered, that the said defendant be committed to prison for twenty-four hours, and be suspended from practising as an attorney or counsellor at law in this court for eighteen calendar months from this date." Mr. Lawless was accordingly committed to jail, but was released the same evening under a writ of *habeas corpus*, issued by the Judge (Stuart,) of the St. Louis circuit court—because, "on examining the order of committment, it was found to be a nullity, having neither the seal nor the signature" of Judge Peck.

We have perused the article signed "A Citizen" with attention, and the account of the proceedings of Judge Peck, with astonishment and indignation. The article written by Mr. Lawless is at once temperate and decorous, and it appears manifest from the face of it, that his only sin was, the effort on his part, to point out, in a succinct and modest manner, what he believed to be the erroneous positions in the decision of the Judge.

The decision, let it be remembered, was published with the consent or by the order of the Judge. The case was finally disposed of in court, and Mr. Lawless was neither guilty of an attempt to bias or intimidate the Judge, nor to affect the opinion of the court in the case referred to. If Mr Lawless had been guilty of an attempt to argue the case of St. Louis heirs vs the United States in a public print, before it was finally determined by the court, and the decree itself converted by the assent or order of the Judge, into a public newspaper article, he might

have been appropriately arraigned for a contempt of court. But such was not the fact. The decree had been published; it was public property subject to be freely examined, and fairly investigated. It was the decision of the act of a public servant, in an important case, and any citizen had an undoubted right to examine it, to point out its errors, or even to expose what he believed to be its fallacies, absurdities, or its corrupting tendencies, being only responsible to the tribunals of his country for the truth of his statements or allegations made on the subject.

If the publication of Mr. Lawless was false and malicious, it was not competent for Judge Peck so to pronounce it. If Mr. Lawless *libelled* the Judge, no tribunal short of a jury of his peers, was competent to pronounce sentence upon him. Judge Peck it seems has decided differently. In his own case, he has assumed the authority of Judge and Jury; gratuitously, and in the absence of any thing like testimony, pronounces the publication libellious (false and malicious,) and proceeds to punish the writer by imprisonment, and suspension from practice. A more unauthorized and outrageous act, we believe, never disgraced an American Judge. A citizen substantially charged with the publication of a libel, is deprived of liberty and suspended from practice without a hearing—and without being allowed the priviledge of substantiating his statements by witnesses, or the right of trial by Jury.

The doctrine of Judge Peck amounts to an official declaration, that his decrees are not only to be obeyed, but that, when published, no man has a right to question the wisdom, legality or propriety of them—that a person expressing a doubt, as to the rectitude of one of his decrees, whether one month or ten years after it may have been made, is liable to be deprived of his liberty; and from the assumptions in the case of Mr. Lawless, as to malice and falsehood, the conclusion is irresistable, that the same tyranical and despicable course would have been pursued, had the article complained of, been written by a man who never saw *his honor*, and who could have felt no desire, either to wound his feelings or misrepresent his official conduct. Such proceedings can neither be justified or tolerated.

Feeling, as we do, a deep interest in the independence, the purity and standing of the Judiciary of the U. States, it is with unfeigned regret that we consider ourselves impelled by a sense of public duty, to protest against this lawless and vindictive attack upon the private rights of a citizen, as well as upon the liberty of the press.

The conduct of Judge Peck should not only be discountenanced by every independent citizen, but it is to be hoped he will be impeached, and removed from a station, the duties of which, owing to ignorance or vindictiveness, it would appear, he is incompetent to perform. To Mr. Lawless it must be a matter of indifference, whether his oppression is attributable to the ignorance of the Judge, as to his own duties or the rights of others, or whether it was the offspring of a jaundiced and revengeful disposition.

## Laws of the United States.

### BY AUTHORITY.

LAWS OF THE UNITED STATES, PASSED AT THE FIRST SESSION OF THE NINETEENTH CONGRESS.

[PUBLIC—No. 26.]

AN ACT for altering the time of holding the session of the Supreme Court of the United States, and of the sessions of the Circuit Courts of the United States, for the Districts of Georgia and South Carolina.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, from and after the year one thousand eight hundred and twenty-six, the session of the Supreme Court, heretofore held on the first Monday of February annually, shall, instead thereof, be held on the second Monday of January annually; and all actions, suits, appeals, recognizances, processes, writs, and proceedings whatever, pending, or which may be pending in said Court, or returnable thereto, shall have day therein, and be heard, tried, proceeded with, and decided, in like manner as if the time of holding said session had not been altered.

Sec. 2. *And be it further enacted*, That the sixth Circuit Court of the United States, for the district of Georgia, which is by law appointed to be holden on the fourteenth day of December annually, shall hereafter be holden on the fourth Monday in November annually, and that the sixth Circuit Court of the United States, for the District of South Carolina, which is by law appointed to be holden on the fourth Tuesday of November, annually, shall hereafter be holden on the second Monday in December annually; and that all process which shall have been issued, and all recognizances returnable, and all suits and other proceedings which have been continued to said Courts respectively, on the days heretofore provided by law for their meeting, shall be returned, and held continued to the said Courts at the times herein provided for the meeting of the said Courts respectively.

JOHN W. TAYLOR,
Speaker of the House of Representatives.
JOHN C. CALHOUN,
Vice President of the United States and President of the Senate.

APPROVED—May 4, 1826.
JOHN QUINCY ADAMS.

(PUBLIC—No. 29.)

AN ACT to exempt the Professors, Tutors, Stewards, and Students of the different Seminaries of learning in the District of Columbia, from military duty.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President, Professors, Tutors, Stewards and Students, of the different Seminaries of learning in the District of Columbia, and they hereby are, declared to be, exempt from the performance of military duty, except in case of war.

JOHN W. TAYLOR
Speaker of the House of Representatives
JOHN C. CALHOUN.
Vice President of the United States, and President of the Senate.

Approved—May 4 1826.
JOHN QUINCY ADAMS.

[PUBLIC]

AN ACT to authorize the President of the United states to run and mark a line dividing the Territory of Florida from the state of Georgia

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States of America be, and he is hereby, authorized, in conjunction with the constituted authorities of the state of Georgia, to cause to be run and distinctly marked, the line dividing the Territory of Florida from the State of Georgia, from the junction of the rivers Chetahoochie and Flint, to the head of St Mary's river: and for the purpose, he is hereby authorized to appoint a commissioner, or surveyor, or both, as in his opinion may be necessary: *Provided*, That the line so to be run and marked, shall be run streight from the junction of said rivers Chatahoochie and Flint, to the point designated at the hand of St Mary's river, by the Commissioners appointed under the third article of the Treaty of Friendship, Limits, and Navigation, between the United States of America and the King of Spain, made at San Lorenzo el Real, on the seventh and twentieth day of October, one thousand seven hundred and ninety five: *And provided also*, That the compensation to be allowed to the person or persons, so to be appointed by the President of the United States, shall not exceed in amount the compensation allowed by the government of Georgia to the person or persons appointed on its part, for the same object.

SEC. 2. *And be it further enacted*, That the person or persons so to be appointed, by the President of the United States, with such as have been or shall be appointed for the same purpose, on the part of the state of Georgia, after they, in conjunction shall have run and distinctly marked said line, shall make two fair drafts, or maps thereof, both of which shall be certified by them, and one of which shall be deposited in the office of the Secretary of State for the United States, and the other delivered to the Governor of Georgia.

SEC. 3. *And be it further enacted*, That for the purpose of carrying this act into execution, the sum of five thousand dollars be, and hereby is appropriated, to be paid out of any money in the Treasury, not otherwise appropriated.

JOHN W. TAYLOR,
Speaker of the House of Representatives.
JOHN C. CALHOUN,
Vice-President of the United States and President of the Senate.

APPROVED—May 4, 1826.
JOHN QUINCY ADAMS.

[PUBLIC—No. 31.]

AN ACT to extend the lines of certain Land Districts in the state of Missouri.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the western boundary of the Land District of Cape Girardeau, and of the Western District in the State of Missouri, be, and the same is hereby, extended to the Western boundary of the State of Missouri.

JOHN W. TAYLOR,
Speaker of the House of Representatives.
JOHN C. CALHOUN,
Vice-President of the United States and President of the Senate

APPROVED—May 4, 1826.
JOHN QUINCY ADAMS.

[PUBLIC—No. 32.]

AN ACT making appropriations for carrying into effect the appointment of a Mission at the Congress of Panama.

*Be it enacted by the Senate and House of Representatives of United States of America in Congress assembled*, That the following sums be, and the same are hereby, approved, out of any money in the Treasury, not otherwise appropriated, for carrying into effect the appointment of a mission at the Congress of Panama, that is to say:

For the outfits of two Envoys Extraordinary and Ministers Plenipotentiary, eighteen thousand dollars.

For the salaries for the same, at the rate of nine thousand dollars; *Provided*, That it shall not be lawful to pay to either of the said Envoys, more than nine thousand dollars for his salary in any one year, in the capacity of Public Minister abroad.

For the Secretary of the mission at Panama, at the rates of two thousand dollars per annum, two thousand dollars.

For the contingent expenses of the said mission, two thousand dollars.

JHON W. TAYLOR,
Speaker of the House of Representatives.
JOHN C. CALHOUN,
Vice-President of the United States and President of the Senate

APPROVED—May, 4 1826.
JOHN QUINCY ADAMS.

[PUBLIC—No. 33.]

AN ACT making further Provision for the Extinguishment of the debt Due to the United States, by the Purchasers of Public Lands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the provisions of the act entitled "An Act to provide for the extinguishment of the debt due to the United States by the purchasers of public lands," approved May eighteenth, one thousand eight hundred and twenty-four, and the provisions of the act entitled "An act explanatory of an act entitled an act to provide for the extinguishment of the debt due to the United States by the purchasers of public lands," approved May the twenty-sixth, one thousand eight hundred and twenty-four, be and the same are hereby, severally revived and continued in force, in all respects whatsoever, until the fourth day of July, one thousand eight hundred and twenty-seven.

Sec. 2. *And be it further enacted* That the legal holder of any certificate of lands purchased from the United States, which land has reverted by virtue of the provisions of the act of the second of March, eighteen hundred and twenty one, or the several acts supplementary thereto; or which, by virtue of the fifth section of the act of tenth of May, one thousand eight hundred, is subject to be sold for the balance due thereon with interest; or which, under the provisions of the said act, has become forfeited to the United States since the first day of July, eighteen hundred and twenty, and which has not been sold, shall be permitted to redeem the same at any time previous to the first day of May, one thousand eight hundred and twenty seven, on paying the amount of the purchase money due, exclusive of interest, with a deduction of thirty seven and a half per cent.

Sec. 3. *And be it further enacted*, That if the legal holder of any certificate of further credit extended to purchasers of public lands by the act of the second of March, eighteen hundred and twenty one, entitled "An act for the relief of the purchasers of public lands, prior to the first day of July, eighteen hundred and twenty," shall, previous to the fourth day of July, eighteen hundred and twenty-seven, discharge the amount due on such certificate, by relinquishment or payment, or both such holder shall be entitled to a remission of all interest due thereon at the day of such discharge, together with a deduction of thirty seven and a half per cent, on the amount actually paid in cash.

JOHN W. TAYLOR,
Speaker of the House of Representatives.
JOHN C. CALHOUN,
Vice-President of the United States, and President of the Senate.

Approved May 4, 1826.
JOHN QUINCY ADAMS.

[PUBLIC—No. 34.]

AN ACT [illegible] the times of holding the Circuit Courts of the United States for the District of New York, and the April Term of the Circuit Court for the District of Connecticut

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, from and after the first day of July next, the Circuit Courts of the United States for the District of New York shall commence and be held at the City Hall of the City of New York, on the last Mondays in May and October, instead of the time heretofore established by law. And the Circuit Court of the United States, for the District of Connecticut, holden at New Haven shall be held on the last Wednesday in April instead of the time heretofore established by law.

Sec. 2. *And be it further enacted*, That all writs, indictments, informations, suits, or actions, or proceedings of every kind, whether of a civil or criminal nature, pending in the said Courts respectively, on the first day of July next, shall the next day in Court, and be proceeded in, heard, tried, and determined on the days, herein appointed, for holding the said Courts respectively, in the same manner as they might and ought to have been done, had the said Courts been holden respectively on the days heretofore directed by law.

Sec. 3. *And be it further enacted*, That all writs, suits, actions, or recognisances, or other proceedings, which are or shall be instituted, served, commenced, had, or taken in the said Circuit Courts, or either of them, to have been holden as heretofore directed by law, shall be returnable to, entered in, heard, tried, and have day in Court, in each of the said Courts respectively, to be holden at the times by this act directed, in the same manner as might and ought to have been done, had the said Courts been holden at the times heretofore directed by law.

JOHN W. TAYLOR,
Speaker of the House of Representatives.
JOHN C. CALHOUN,
Vice President of the United States, and President of the Senate.

Approved—May 13, 1826.
JOHN QUINCY ADAMS.

[PUBLIC—No 35.]

AN ACT authorizing the payment of interest due to the State of Maryland.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the proper accounting officers of the Treasury department be and they are hereby authorized and directed to liquidate and settle the claim of the State of Maryland against the United States, for interest upon loans on moneys borrowed, and actually expended by her, for the use and benefit of the United States during the late war with Great Britain.

Sec. 2. *And be it further enacted*, That, in ascertaining the amount of interest, as aforesaid, due to the State of Maryland, the following rules shall be understood as applicable to and governing the case to wit; First, that interest shall not be computed on any sum which Maryland has not expended for the use and benefit of the United States, as evidenced by the amount refunded or repaired to Maryland, by the United States; Second, that no interest shall be paid on any sum on which she has not paid interest; Third, that, when the principal or any part of it, has been paid or refunded by the United States, or money placed in the hands of Maryland, for that purpose, the interests on the sum or sums so paid or refunded, shall cease, and, not be considered as chargeable to the United States, any longer than up to the time of the repayment, as aforesaid.

Sec. 3. *And be it further enacted*, That the amount of the interest, when ascertained, as aforesaid, shall be paid out of any money in the Treasury, not otherwise appropriated.

JOHN W. TAYLOR,
Speaker of the House of Representatives.
JOHN C. CALHOUN,
Vice President of the United States, and President of the Senate.

Approved—May 13, 1826.
JOHN QUINCY ADAMS.

[PUBLIC—No. 36.]

AN ACT to authorize a subscription, for stock, on the part of the United States, in the Louisville and Portland Canal Company.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he hereby is authorized and directed to subscribe for, or purchase, in the name and for the use of the United States, not exceeding one thousand shares, of the capital stock of the Louisville and Portland Canal Company, & to pay for the same at such times, and in such proportions, as may be required of, and paid by other stockholders of said company, out of any money in the Treasury not otherwise appropriated: *Provided*, said shares can be procured for a sum not exceeding one hundred dollars each.

Sec. 2 *And be it further enacted*, That the Secretary of the Treasury shall vote for the President and directors of said Company, according to such number of shares, and shall receive, upon the said stock, the proportion of the tolls which shall, from time to time, be due to the United States, for the shares aforesaid.

Sec. 3. *And be it further enacted*, That this act shall not go into effect, until one or more competent engineer or engineers, in the service of the United States, shall examine the ground on which a canal is proposed to be constructed, and make a report in writing to the Secretary of War, that, in his opinion, the plan upon which the canal is to be constructed is practicable, & that the sum hereby authorized to be vested in the subscription, or purchase of stock, will be sufficient, together with the sums already paid, or to be paid, upon the stock subscribed for, and owned by individuals, to complete the canal according to said plan.

Sec. 4. *And be it further enacted*, That, for the purpose of carrying into effect the provisions of this act, the sum of one hundred thousand dollars shall be and the same is hereby, appropriated, to be paid out of any money in the Treasury of the United States, not otherwise appropriated.

JOHN W. TAYLOR,
Speaker of the House of Representatives.
JOHN C. CALHOUN,
Vice-President of the United States, and President of the Senate.

Approved—May 13, 1826.
JOHN QUINCY ADAMS.



## FOREIGN.

FROM THE NEW YORK AMERICAN.

### LATEST FROM EUROPE.

By the Edward Quesnel we have our Paris files up to the 31st April, and Havre prices current to the 5th. In the Havre paper of the 30th a letter is read by three ship brokers, Lacombe, Massey and Lefevre, and by Captains Hawkins of the Edward Quesnel, and Perrier, of the ship Constance, arriving Captain Lyon, of the ship Columbine, of New York, from the charge of passing the wreck of the English vessel Frances Mary, to which the crew were clinging without any effort to save them. The unfortunate sufferers were afterwards taken off by the Blonde British frigate, and on their arrival in England complained of the apparent cruelty of the American ship in passing without aiding them. The letter above referred to states, that Capt Lyon laid by the Frances Mary twenty four hours, though blowing very hard, without being able to afford any assistance, or even speak her; that finally he lowered his boat with the purpose of boarding, but it was instantly swamped, that he continued, nevertheless, to lay by the wreck, in the hope, when the wind lulled, of being able to afford succour; but that the gale increased, and he was blown off. We remember well the way with which we read the account in the English papers, that an American ship had passed this wreck without seeking to give relief; and we rejoice, accordingly, that it is shown to be unfounded.

The Duke Mathieu de Montmorency died in Paris of an aneurism of the heart, on the 24 of March, aged 59. He was the Governor of the Dauphin. He was among the gallant Frenchmen who drew their swords for us in the revolutionary struggle, and as such deserves to be remembered amongst us. He was, too, a devoted friend of Madame de Stael. He was in the act of praying in church when he died.

M. de St Just, the author of the "Calife of Bagdad" and of "Jean de Paris," which, with the aid of Boieldieu's music, have become so well known, also died on the 27th of March.

A Russian serf, named Slapushkia, belonging to the estate of the Countess Noworsitsoi, (it is thus he describes himself;) has published a volume of poems, which have attracted the attention of the imperial family and of the men of letters. The academy presented him a gold medal, and the princes a gold watch. These poems are said to be remarkable, as evincing the perfection of the Russian language.

The Greeks it may be hoped, have actually succeeded in repulsing Ibrahim Pacha before Missolonghi. The latest account we find, is the following, from the Journal du Commerce of the first of April.

The packet from Corfu arrived at Trieste with letters to the 7th March, brings, details of the repulses given on the 2d March before Missolonghi to Ibrahim. The inhabitants summoned to surrender, refused every sort of capitulation. The 28th Feb their priests administered to them the communion, and the enthusiasm of all was at its height. Ibrahim having attacked them by sea and land, was repulsed on all sides, and lost between four and five thousand men. This defeat caused the breaking of his army. He himself had retired to Patras, after despatching his Kuja Bey into Albania, to raise fresh recruits.

Another important piece of intelligence was received by this Packet. It is affirmed that the Greek cruisers having boarded the vessels under the English flag bound from Alexandria to the Morea, and found in them property belonging to the Turks, captured the whole. The Captains complained to the Lord High Commissioners of the Ionian isles, who refused to listen to their complaints, saying they brought the difficulty on themselves.

Marseilles offers at this moment a singular appearance. There are to be seen there at one and the same time, Frenchmen who are sacrificing everything to join Colonel Fabvier, in defence of Greece, and other Frenchmen who propitiate the smiles of the great men of the day, by enlisting for the Turks under M. de Livron. A convoy of these latter are to sail in a few days.

The French government is roundly charged both in the papers, and on the floor of the House of Deputies, with favoring the enlistment of French officers and men in the Turkish service. This, however, is denied by the government, and to a statement made in his place, by Mr B Constant, that the Egyptian treasure had been carried from Alexandria to the Morea, on board a French national vessel, without the officers being called to account for it, M. de Villele replied, that so far was this from the fact, that not only the officer commanding the vessel had for that offence alone been struck from the rolls of the navy, but the admiral commanding the station had in consequence, been recalled. It appears certain, however, that both Greeks and Turks are enlisting in France.

MADRID, 20th March.—Last evening some Swiss soldiers and some chasseurs of the Royal Guard, quarrelled in the suburb of San antonio. The difficulty arose from some complaint about the foreign soldiers, and there is reason to believe the design was to assassinate all the Swiss, and the liberals generally. Happily the disturbance was quelled, though not without bloodshed. The three chief officers of the 1st Swiss regiment were wounded. The commandant of the place, and some officers of the 2nd regiment were also wounded. The mob attacked the Swiss with stones, who, instead of returning the fire of musketry, as they might have done, retreated to their barracks. This forbearance stimulate the assailants, who pressed on, saying "death to the Swiss, death to the French." To day every thing seems tranquil. The French Ambassador will doubtless require satisfaction for this outrage.

The London Globe, in noticing the fact, that special despaches had been sent down to Lord Ponsonby, who is the Envoy to the United Provinces Buenos Ayres, detained by head winds at Plymouth, observes "that doubtless great interest is felt in this mission on account of the desire of Mr. Canning, to see an end put to the war between Buenos Ayres and Brazil, a war so injurious to English commerce."

The annexed article concerning the free navigation of the Rhine, is of importance to us, who are claiming, on the same principles, the free navigation of the St Lawrence.

The numberless discussions which the treaties of Paris and Vienna have, for 10 years past, given rise to concerning the free navigation of the Rhine are about to be terminated. Austria has declared that in the treaties of Vienna and Paris, it was intended to stipulate the entire freedom of the Rhine and its uninterrupted communication with the sea. England expressed herself in the same way some years ago at Laybach. Russia is said to have recently addressed a note to the same effect to the Plenipotentiaries assembled at Frankfort.

*Journal du Commerce, 29th March.*

### FROM AFRICA.

A letter to the editors of the Boston Patriot, dated Villa du Praya, St Jago, March 16, says an attack was anticipated at Bathurst River Gambia, from the King of Bara, upon the English settlements. All the merchants and persons able to bear arms were enrolled as militia men to defend the Island. The African king is to have 500 boats to embark his troops, who are armed with muskets.

### EUROPE.

London dates to the 24th March, one day later than those previously received, are furnished by the ship Friends at New York. The British Parliament had adjourned to the 5th of April. It is stated that Green and Hartley's failure has affected the shares of a South American Mining Company in which they were interested to such a degree that, from being at a premium of £50, they could not be sold at any price.

Accounts from Hamburgh mention the detection of the most extensive frauds on the underwriters at Lloyds. Seven persons were under arrest at Hamburgh, and three or four at Edinburgh, under charge of this crime. It appears in one instance that a foreign vessel from Hamburg and Altona to London, was stuck by the master off Beckum. The packages were found to be fictitious, and insurances to a large amount were made in London.

It appears from the report of the meeting of the Bank this morning, that the applications for advances on goods have not been numerous, and the sums advanced as yet less than a quarter of a million. The measure was tardily adopted; but even at the eleventh hour, the benefit done by the advances has been great in comparison to their amount. The subject of having branches in the country is still under the consideration of the bank—nothing is decided upon.

Brussels papers to the 23d inst. speak (on the authority of mercantile letters of the present calm, which prevails in Russia, as being rather portentious in its character. The arrests which continue, and the inquiries into the late conspiracy, are complained of as throwing great impediments in the way of commercial transactions.

If ever a Prince lived who had reason to complain of rebellion in his own family, it was the late king John of Portugal. His first son, Don Pedro, the rightful successor to the throne, was made Vice Roy of Brazil, and rebelled against his father, declared his empire independent of Portugal, and obtained from his father, by the agency of the British Court, a recognition of his rebellion. His second son, Don Miguel, who it is supposed will succeed to the crown, shewed his loyalty likewise, by another act of rebellion. The poor king was compelled to ask the aid of foreign ministers—he escaped on board a British man of war, where he published a proclamation denouncing Don Miguel as a rebel, who was obliged to repair on board and to ask his father's pardon on his knees. Surely two rebels are enough in all conscience for one royal family—No—Queen was likewise a rebel—she conspired with her son Don Miguel, to deprive her husband of his crown, and he, on his resumption of his regal office, condemned her by proclamation to banishment. His loving consort, when in banishment, issued another proclamation, denouncing his majesty as a superannuated fool, and declaring that she conceived banishment from His presence no disgrace, but an honor.—Three rebels in one royal family—who doubts the efficacy of legitimate governments now.

### FROM VERA CRUZ.

The Yellott, Captain Curtis, at this port from Vera Cruz, brings us papers of that city to the 25th ult. inclusive. The letters estimate the loss by the late fire at Vera Cruz, variously, from half million to three millions of dollars. The fire occurred in one of the public stores attached to the custom-house, and was first discovered about nine o'clock on the night of the 7th April. It is attributed to the carelessness of some of the porters employed in depositing the cargo of the brig Greek of New-York. The loss of goods consumed we learn, has not had any effect of consequence on the markets.

A paragraph in the Patriot states that our Minister Mr. Poinsett, expected to conclude a treaty before the adjournment of the Mexican Congress, but not in season to have it reach Washington before our Congress closes its present session.

*Balt. Amer.*

## DOMESTIC

### STEAM CARRIAGES.

The New York Evening Post says:—Mr. Stevens has at length put his *Steam Carriage* in motion. It travelled round the circle at Hoboken Hotel yesterday, at the rate of about six miles an hour. The curve of this circle is very rank, much more so than can be possibly required in pursuing the route of a road. This great deviation from a straight line gives rise to enormous friction, the greater part of which, however Mr. S. has contrived to obviate. His Engine and carriage weigh less than a ton, whereas those now in use in England weigh from eight to ten tons. His original intention was to give the carriage a motion of sixteen or twenty-six miles an hour; but he has deemed it more prudent to move, in the first instance, with a moderate velocity, and has accordingly altered the gearing, which renders it impracticable to move faster.

*Balt. American.*

### RAILWAYS.

A model of a valuable improvement in Railways is now exhibiting in Boston; it is the invention of two citizens of Providence, R. I. It consists in raising and lowering loaded teams by a balance and lever power, similar to a scale beam. The carriage running on these railways will proceed on perfect levels, except at certain places or platforms, in which by the operation of levers and weights, the carriages, &c. are raised or lowered, as the case may require, from one level to another. This is effected in from one or two minutes, by a simple process requiring less strength than one man can conveniently exert. The horses will travel beneath the carriage, and thus be protected from rain or snow. The same gentlemen have likewise invented an improvement, by which carriages travelling in opposite directions, can pass each other on Railways with facility, and but little delay or trouble.

Many gentlemen (it is stated) have viewed and approved the above invention. It is calculated to overcome, with rapidity, all irregularities in a road, from four feet to any height. The wagons are always to carry the same burden (which can be regulated by weights added to the load when necessary) which the elevators are to be arranged to balance so exactly that less than a pound weight will turn them, when the load and counterpoise are 20 tons. A slight pulling of a string, by the driver, will secure the benefit of an elevator as often as one is arrived at. The inventors calculated that their carriages for passengers and for burdens, will travel at the rate of seven miles an hour, and that goods can be delivered at that rate of speed. The carriages will glide over the Railway with such ease that lady passengers may attend to their sewing, if they please, or they and other passengers may read or write if agreeable. The inventors have taken measures to secure a patent in England.—*Ib.*

*From the Scarbury Clarion.*

*The Morning Star*—On the 1st inst. the Canadian Schooner Surprise, Captain McCall, found the schooner Morning Star of this port, whence she sailed on the 22nd of April for Miami, floating near the Canada shore, without a soul on board—sails down, but not furled, cable, anchor and deck loading on board but rudder gone. The companion way was open, and the births hats, boots &c. exhibited signs of the vessel's having been left in a hurry. The vessel had very little water in and was towed to Malden. After this intelligence was received, various

...ctures as to the fate of the crew. ...ing ...ered to dispel the gloomy sus... ...citizens until sunday last when ...passengers who had been on board the lost ...ner, arrived and gave the following infor...tion.

On the 28th of April the Morning Star cleared from Miami, bound for this port, with the following persons on board, viz: Captain John Castelo Thomas Goodwin and John Furney of this town, a man by the name of Webber (we believe,) of Chatauque county, N Y. and a woman named Julia, who had been residing on one of the Islands during the winter.—In the night during a gale, the vessel struck on a reef of rocks near Middle Bass Island, by which her rudder was unshipped, and it was supposed she had bilged. After the sails were hauled down, the captain cried that all who wished to save themselves must take to the small boat.—The boat was let down, and all hands succeeded in reaching the shore, carrying nothing with them but what they had on and a tinder box. A fire was kindled and the captain went back alone, in the boat to learn the situation of his vessel; but it was gone and he returned to the Island When day light appeared, it was in sight, but several miles distant. The captain observed that all he was worth was afloat in that vessel, and requested Mr. Goodwin to go with him and endeavor to secure it. He consented, and they embarked. They were anxiously watched by those whom they had left behind, until both vessel and boat disappeared in the distance, and the latter has not been seen nor heard from since.—Messrs. Castelo and Goodwin have both left families

Those who were left on the Island were in a deplorable condition.—There was no human being besides themselves; no shelter to shield them from the weather; no bed but the earth; and no food but leeks and other wild roots which they dug from the ground. In this miserable condition, they spent six days and nights, when fortunately the schooner Gurrier was obliged by the stress of weather to seek shelter under the lee of the Island: A shirt was hoisted on a pole as a signal of distress, by which the attention of the crew was attracted. A boat was sent a shore and the sufferers was providentially saved from starvation.

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*Tomb of Washington.*—It is rumoured, that a party consisting of about thirty members of Congress, of both Houses, wishing to visit the tomb of Washington, hired the steam boat "Enterprize," and proceeded in her to Mount Vernon, on the 14th inst. After the boat had gone some distance, and before they reached Mount Vernon, it was stated to them by the Captain, that Judge Washington, the proprietor of the place, had forbid persons from landing from on board a steam boat, at Mount Vernon. The gentlemen thinking that a refusal could not be given, appointed a Committee, consisting of three of their body, to wait upon Judge Washington, and to ask the permission of him, of paying their respects to the seat of the deceased Father of their independence. This was done in the most polite and respectful manner by the committee, who went on shore for the purpose, the other gentlemen remaining on board the steam boat. The permission was refused, and it is said, the Committee was not treated with common politeness, and the refusal was accompanied by threats of instituting suits, &c Is it possible that this report is true! If so, ought it not to be a good reason why Congress ought to remove the remains of Washington, from a place to which his grateful countrymen cannot go to perform that pilgrimage which will be made, as long as gratitude is a virtue or love of country, warms the bosom of an American For the honor of the name of "Washington," we can scarcely believe the report, and yet, it comes from such authority we cannot doubt it.—*Nat. Jour.*

The following appeared in the *Alexandria Gazette*, in answer to the foregoing extract from the *National Journal*.

*Messrs. Snowden and Thornton*—I should not notice a statement made in the "National Journal" of the 16th inst. (said to be a rumor) respecting the steamboat party which landed at Mount Vernon on Sunday last, if it were not to correct two misrepresentations contained in it, which, I am persuaded, could not have received the countenance of either of the respectable and honourable gentlemen who composed what is styled, "the committee." The first is, that "the committee was not treated with common politeness."

I should feel much mortified if I could suppose that my conduct was so understood by the members of that body; but if I was I beg them to believe that as I had no cause so undoubtedly, I had no intention, to treat them otherwise than with respect, after being assured by them that they were ignorant of the prohibition to visit Mount Vernon on that day, and in that mode; and this declaration, I trust they will accept, not an apology, but an avowal of the feelings which influenced my conduct towards them during our short interview. That I felt some irritation against the Captain of the boat, who with the subjoined letter, perhaps in his pocket at the time, could from sordid motives expose his passengers to disappointment, and me to the unpleasant dilemma of either refusing them permission to visit the place, or making an exception in the particular case, to rescind, in effect, the prohibition altogether, I acknowledge. That my department may have indicated this feeling, is highly probable. Towards those who had been designedly kept in ignorance of a material fact known to the Captain, it was impossible to entertain other than the most respectful feelings, with which I had hoped my behavior entirely corresponded.

The other misrepresentation to be corrected is, that "the refusal was accompanied by threats of instituting suits, &c."

What threats are to be understood as comprised under the &c. I know not. After stating to the gentlemen, that the commanders of all the steamboats on the river had been long since warned not to bring parties to Mount Vernon, I stated that I should certainly sue the Captain of this boat for his present conduct. I expressed no other threat—I intended nothing beyond it. When these gentlemen expressed their regret, that the Captain should be in this predicament, and, after giving their names requested that I would consider them as the responsible persons. I repudiated the proposition; and this was confirmed by my friend Mr. Herbert, to the persons who afterwards assembled at the tomb, and who insisted upon sending me their names.

The threat against the Captain of the Surprise, I am determined to execute, whenever I may have the opportunity; although I can scarcely hope that a resort to legal proceedings against the commanders of these boats, will contribute to protect my rights, if their passengers should think proper to indemnify them against the consequences of their violating them.

If the best efforts I can make to protect this spot from those intrusions which many painful and mortifying circumstances have constrained me publickly to forbid, nothing will remain for me but to abandon it altogether. I claim no particular privilege as attached to the place, or to the name of him from whose bounty I received it. I asked to be protected in those priviledges only, which are the birth right of the humblest citizen of Virginia.

BUSH WASHINGTON.

*Mount Vernon 18th May* 1826.

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"NOTICE.

"The feelings of Mrs. Washington and myself, have been so much wounded by some late occurrences at this place, that I am compelled to give this Public Notice, that permission will not in future be granted to Steam Boat Parties, to enter the Gardens or to walk over the grounds, nor will I consent that Mount Vernon Mansion less the Lawn, shall be the place at which eating, drinking and dancing parties may assemble.

"It is not my wish by a particular recital of the unpleasant circumstances which have led to this notice, to give offence to any person; but I may be permitted to state generally, as my opinion, that a stranger who had accidentally stopped here upon many of the occasions alluded to, not knowing to whom the place had belonged, would hardly have taken it for the residence of a private gentleman.

"The respect which I owe to the memory of my revered *uncle*, and that which I claim for myself, forbid my longer submitting to similar indignities Respectable strangers and others, be their condition in life what it may, who may be led by curiosity to visit this place, will at all times, (Sundays excepted) receive the same attention which has heretofore been uniformly and cheerfully shown such characters.

Sigbed BUSHROD WASHINGTON

"*July 4th* 1822."

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"Sir—The above notice was published in Mr. Snowden's paper and in the National Intelligencer in July 1822; notwithstanding parties have since been brought to this place by some Steam Boats particularly during my absence from home. My object in sending you this letter, is to apprise you of my determination to stop the commanders of those Steamboats, in which parties may hereafter be conveyed to Mount Vernon. Your humble servant "BUSHROD WASHINGTON.

"*To*——, *Master of Steamboat*——"

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# THE KENTUCKY GAZETTE

EDITED BY JOHN BRADFORD.

FRIDAY EVENING, JUNE 2, 1826.


The address of NATHAN PAYNE Esq. to the voters of Fayette county, published in this day's paper, has so alarmed the enemies to a compromise of the present political controversy that every possible effort is making to counteract its influence. Many of the most respectable farmers in the county, who were opposed to the relief system which had by law a limit, begin to be satisfied that the present state of things is much worse, and to which there is no prescribed limits; they are therefore willing to compromise the question in any constitutional way that a majority of the Legislature may agree on.

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## BEAUCHAMP.

To answer the numerous enquiries on the subject of Beauchamp's confessions, we copy the following from the Argus of Wednesday last.

Many rumors are afloat as to Beauchamp's confessions. Few of them, we believe, are entitled to confidence. It is certain, however, that he has confessed the crime; that he gave directions where the knife, with which it was executed might be found; and that on enquiry, it was ascertained that a knife precisely answering his description had been found at the spot where he said he had concealed it. It is a small old fashioned butcher knife, ground sharp on the back as well as edge an inch or two from the point. It was found in a lot occupied by Mr. Wade, where Beauchamp had buried it. He alleged also, that he had concealed the corner of the handkerchief near the same spot and could find it. On Sunday last he was taken out of jail and went with a number of persons for that purpose, but did not succeed. The ground where the knife and, as he stated, the corner of the handkerchief, were concealed, had been spaded up. He pointed to within six inches of the spot where the knife was found, as the place where he concealed it, and said he had chewed up the corner of the handkerchief into a wad, dug a hole with the knife, buried it, and then buried the knife close by it.

We do not deem it proper to embody in this paper any of the thousand rumours we have heard relative to his further confessions. A pamphlet, we are told, is in preparation and will be immediately published, in which the public will see his own account of the affair.

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Mr. Kendal has commenced publishing in the Argus, the substance of the testimony given in Beauchamp's trial: As we have no doubt that such of our subscribers as do not read the Argus will be pleased with an opportunity of reading the testimony, we shall copy it into the Gazette.

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By this days Mail we have received accounts from London to the 20th and from Paris to the 15th ult. from which it appears that on the 20th March Missolonghi was taken by the Turks by storm. The majority of the garrison was killed and the place in ruins before it surrendered. The Governor of the citadel blew it up with 2000 Turks. Upwards of 4000 Greeks were destroyed During the conflict the streets were choaked with the dead and wounded, whilst the blood was running in streams.

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## CONGRESS.

Congress adjourned on Monday, the 22d inst. Several members have already passed this place, for their homes. The session has been a long one and but few measures of national interest have been adopted.—The judiciary bill was lost by the disagreement of the two houses. [MAYSVILLE EAGLE.

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COMMUNICATED.

## To the Voters of Fayette County.

FELLOW-CITIZENS.

Having yielded to the expressed wishes of a portion of you in consenting to become a candidate at the approaching election to represent you in the popular branch of the Legislature of this state, it may be expected and cannot appear improper, to give you a brief outline of my sentiments upon the great question that is now agitating our country. It will not be expected, nor can it be necessary, that I should go into a detail of the causes and circumstances that have tended to involve the country in its present unhappy condition.

They are memorably impressed upon the mind and are well understood by a large portion of the community, and I, unused as I am to public speaking or writing, cannot hope to throw any new light upon the subject, or to advance any thing particularly interesting thereon, and shall not attempt it.

Divided and warmly arrayed as parties are against each other, there is one feeling which we ought, and patriots will unite upon That is in deploring the zeal, intemperance and animosity, that have but too strongly marked the course of the leaders of parties on both sides of the question, and it is still more to be lamented that those discordant feelings have but too generally diffused themselves throughout every circle of society, and in their baneful effects marring the intercourse of those who should be the best friends.

We should endeavour, and there appears to me no insuperable barrier to our uniting upon those means that are calculated to restore harmony, give quiet to an agitated country, and revive a long lost confidence. The first step toward this desirable attainment, seems to me to require every man who has taken a warm side in the controversy, to enquire at the bar of his own conscience whether he has not been too intolerant in his feelings against those who have thought differently from him.

The next step would seem to be a preparation of feeling to concede minor points, and mere considerations of questionable expediency, to the decided wishes of others. Constitutional principles should be held sacred, and our well matured opinions thereon inviolably maintained.

But the ground upon which we might unite is sufficiently broad, without invading in the estimation of the most scrupulous, one single constitutional principle.

About three fifths of the voters of the state at the last election, as I conceive, decided that what is termed "the reorganizing act" intending to turn the incumbents of what is now called the old Court of Appeals, out of office, was a violation of the constitution and is consequently null and void. This has been unalterably and is still my opinion. Hence is demanded the unqualified repeal of that act. Those who have believed that the act did not violate the constitution, can have no constitutional scruples against its repeal, and a spirit of conciliation in my conception demands at their hands, a concurrence in the measure.

On the other hand there is no man in the country whose constitutional scruples are so hair spun, that he could conceive that it would be a violation of the constitution for the old court to resign. And may we not say to them that the love of country, that delights in its tranquility & prosperity and forbids an obstinate opposition of individual will to the wishes of a majority, demands that measure at their hands? And have not those wishes been sufficiently indicated to them by the result of the two elections preceding the last? Common modesty and self respect, suggest the propriety of a man's retiring when his services are no longer approved. And in a government based as ours is, on the will of the people, no patriot will cling to an office when he is convinced that a majority of those on whom his official acts are to operate, wish him to vacate his office, provided he can do it without exposing the government to greater danger, and this it is the province of the people to pronounce upon, and which I think they have decided at the two elections alluded to.

Let not the common place objection, that the governor cannot be trusted to make the nominations defeat the measure; it is not only practical but entirely easy for the representatives of the people and the judges of the old court to guard against an imposition of the kind, if the governor were base enough to attempt to practice it. The propriety of having a court composed in whole or in part of other men, presents itself from the conviction, (judging human nature from what we have seen of it in every situation) that the present judges of the old Court of Appeals are ill prepared in feeling, to dispense impartial justice where a contest is between the warm partizans of the new and old courts; zealous support or warm opposition gives an imperceptible bias to the mind, and would in all probability find its way into judicial decisions, that we all unite in admitting should be unprejudiced

Misconception, or a worse feeling, has ascribed to me the character of a turn coat, and that I have become what is termed a relief man.

I deny the imputation, and leave it to the consciences of those who make the charge to say, whether any thing herein contained justifies such an insinuation, and whether my uniform deportment and expressions, do not pronounce the charge an unwarrantable slander In the commencement I have said that I have yielded to the expressed wishes of a portion of my countrymen in becoming a candidate; let it not be inferred that I feel an indifference toward the office to which I aspire.

This indication of good will and confidence toward me is gratefully felt. Though a distrust of my qualifications for the highly important and responsible business of legislation, produces an almost insurmountable hesitancy.

Should I receive the elective support of a majority of my countrymen, strict attention to the duties of the station and a zeal for the best interest of our common country are all that I can promise.

Respectfully your obedient servant,

NATHAN PAYNE.

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## NATURAL HISTORY.

*Volcanic Lake*—The 51st number of the North American Review contains an interesting review of a book recently published in Boston entitled "Journal of a tour around Hawaii, the largest of the Sandwitch Islands." from which we extract the following extraordinary description.

Among the most extraordinary phenomena on the island of Hawaii, is the great crater of Kiranes, situate about twenty miles from the seashore in the interior. It is thus described in the Journal:

"Immediately before us yawned an immense gulph, in the form of a crescent, upwards of two miles in length, and about a mile across, and apparently eight hundred feet deep The bottom was filled with lava, and the south west and northern parts of it were one vast flood of liquid fire, in a state of terrific ebullition, rolling to and fro its "fire surge" and foaming billows. Fifty one craters, of varied form and size, rose like so many conical Islands, from the surface of the burning lake. Twenty-two constantly emitting colums of gray smoke, or pyramids of brilliant flame, and many of them at the same time, vomited from their ignited mouths streams of florid lava, which rolled in blazing torrents down their black indented sides, into the boiling mass below.

"The sides of the gulph before us were perpendicular, for about four hundred feet; when there was a wide horizontal ledge of solid black lava of irregular breadth, but extending completely round. Beneath this black ledge, the sides sloape towards the centre, which was as nearly as we could judge, three hundred or four hundred feet lower. It was evident that the crater had been filled with liquid lava up to this blark ledge, and had, by some subterranean canal emptied itself into the sea, or inundated the low land on the shore The gray and in some places apparently calcined, sides of the greater crater before us; the fissures, which intersected the surface of the plain, on which we were standing; the long banks of sulpher on the opposite side; the numerous columns of vapor and smoke, that rose at the north end of the plain, together with the ridge of steep rocks, by which it was surrounded, rising probably, in some places four hundred feet in perpendicular height, presented an immense volcanic panorama, the effect of which was greatly augmented by the constant roaring of the vast furnaces below."

"Between nine and ten, the dark clouds and heavy fog, that since the setting of the sun, had hung over the volcano, gradually cleared away, and the fires of Kiranea, darting their fierce light athwart the midnight gloom, unfolded a sight terrible and sublime beyond all we had yet seen.

"The agitated mass of liquid lava, like a flood of Melted metal raged with tumultuous whirl The lively flame that danced over its undulating surface, tinged with sulphureous blue, or glowing with mineral red, cast a brad glare of dazzling light on the indented sides of the insulated craters whose bellowing mouths, amidst rising flames and eddying streams of fire, shot up, at frequent intervals with loud detonations, spherical masses of fusing lava, or bright ignited stones.

"The dark, bold outline of the perpendicular and jutting rocks around, formed a striking contrast with the luminous lake below, whose vivid rays thrown on the rugged promontories, and reflected by the overhanging clouds, combined to complete the awful grandeur of the imposing scene."

It is a striking feature of this volcano, that it does not spring out of a mountain, or hill, as is the case we believe in all other parts of the world but is seated in a comparatively plain country, or rather at the base of the stupendous mountain Mouna Roa. It never overflows its margin, like other volcanoes, but the lava seeks a subterraneous passage, bursting out occasionally at a distance from the crater, and finding its way to the lower country, and even to the sea. The dimentions of this enormous gulph have been more accurately ascertained by Mr. Goodrich and Mr. Chamberlain, who have made a recent visit to it By actual measurement they found the upper edge of the Crater to be seven and a half miles in circumference; and at the depth of five hundred feet, they satisfied themselves that its circumference was at least five and a half miles They judged the depth to be one thousand feet.

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MARRIED, in Woodford county on Thursday the 25th of May, by the Rev Mr. Creath; Mr John Bass, late of Missouri to Miss Ann C. Haggin daughter of James Haggin Esq —On the same evening Mr Albert Creath to Miss Susan Haggin.

In this place on Tuesday evening 23rd of May by the Rev G. T. Chapman, Mr Lewis A Thompson to Miss Margaret H. Ashton both of Lexington.

In Jessamine county on Thursday May 18th by the Rev. E. Waller, Mr John W Smith to Miss Nancy Vawter

DIED in Lexington on the 1st inst Mr William Humphreys, son of Charles Humphreys Esq aged about 19 years.

Same day in Fayette county near Lexington, Mrs Rebecca Pollock, consort of William Pollock Esq

On the evening of the 31st ult. Mr Adam Winn of Fayette county, was drowned in the Kentucky river at the mouth of Elk creek.

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## POET'S CORNER.

FOR THE GAZETTE.

### KENTUCKY.

What land is thus cucompa s'd round!—
North, the Ohio river's bound,
And Tennessee its Southern bound;
Eastward, Virginia's well known ground,
And Westward, Illinois is found!
Kentucky.

What land is that where men are free,
And highly prize their liberty,
Where poor and rich should equally
Watch o'er its future destiny;
Where scientific men we see,
And some are proud to disagree?
Kentucky.

What land is that where Judges thrive,
And claim their Judgeships while they live;
Where some the rich to err will give,
For *error's right* as they believe;
Where they the people gull, deceive,
Too late they find that out, to grieve!
Kentucky.

What land is that where there are men,
With noble blood in every vein,
With heads most wise and noble mein,
Whose hearts all *fraud and guile condemn;*
Who *charitably* would explain
The Constitution unto men,
And spare the toil of thought to them?
Kentucky.

What land is that where there are some,
Who talk, that should have been born dumb;
If arbitrary sages grum,
Think for them, they should have no tongue,
They want but hands to fire a gun,
And ears to hear the beat of drum!
Kentucky.

What land is that with fertile soil,
Which pays the laborer for his toil;
Where mighty men would round us coil,
Fetters from which the free recoil;
Where discord fierce men's minds embroil,
Because they won't submit to B****!
Kentucky.

What land is that whose history *
Condemns our Constitution free;
Whose author with disgust does see
The rich and poor rule equally;
Where all the rabble rule says he
Claim with the rich equality!
Kentucky.

What land is that ('twas dearly bought,)
Where there are men who bravely fought,
But being *poor*, a sage has thought,
As *freemen* they rank not, nor ought;
Where men the *land* for refuge sought
Nor *right* of *suffroge* with them brought;
Where *land* should rule us, as we're taught,
An hundred acres to a vote!
Kentucky.

What land is that where *compromise*,
A giant seems of monstrous size,
In some great people's Lynx like eyes;
Where it's applauded to the skies
By such as peace and quiet prize;
Where other means can none devise
The Olive Branch of peace to raise!
Kentucky.

OSCAR

* A late published history of Kentucky.

## AMUSING.

*From the Louisana Advertiser.*

ON THAT MY ENEMY WOULD——— TAKE A NEWSPAPER.

"John! O John—do you hear? run to neighbor Liberal's and ask him if he will oblige me with the loan of a morning's paper a few minutes just to look at the ship news and advertisements."

"That's just what I said yesterday morning, daddy, when I went to borrow the paper, and you know you kept it two hours, and he was obliged to send for it."

"Well then say something else to him, John do you hear, John? and give my compliments John, do you hear?

"Yes daddy" (*exit and returns,*)

"Well John have you got the paper?"

"No daddy neighbor Liberal's walking about the room waiting for Mr Newsmonger to finish reading the Louisana Advertiser, or Mr. Longwind to drop the Gazette which he has got almost asleep over."

"But is not the Argus and Mercantile Advertiser come?"

"Yes daddy, but Mr. Neitherside is laughing over that funny piece he told you he was a going to have published in the "Mirror" and I believe he has read it twenty times over."

"This is provoking I wonder why they dont take the papers themselves and not be troubling their neighbors."*

"Why dont you take a paper daddy."

"Why—why—if I did I never could get a chance to see it An impertinent set of spongers!—go again John. There must be some one out of the four liberated, and I know it will give neighbor Liberal pleasure to gratify me only for a moment."

"Well John what success?"

"Cant get a paperdaddy, Mr. Liberal has got the paper away from Mr. Scribelerus, and Mr. D—te is looking over his shoulder while he reads it and he'll want it next"

"This is beyond all bearing; it is now 7 o'clock and I suppose I must wait till after breakfast before I can get the news and who the d—l (*in a violent passion*) would give a soumarkee to read a Newspaper after breakfast. Do you hear John go again John, and wait till one or other of the papers is out of the hand of those infernal gormandizing monopolizers, and be sure to catch it, John and then teh Mr. Liberal that I will return it instantly; do you hear, John?"

"Yes, daddy." (*Exit*)—(*enter Shallow*)

"Good morning Mr. Eagernoos—any thing noo?"

"New! fire and faggots I have sent a dozen of times to Liberal there, to request the loan of his paper only for a moment and he has the impertinence to refuse me."

"Refuse you?"

"Not exactly refuse me but he permits such fellows as Longwind, Neitherside, Scrimerous and Newsmonger, to pore over them for hours, not only thro' a mistaken courtesy, depriving himself but his neighbors, from getting early intelligence of what is passing in the world."

"Mh goodness!—be they reading 'em now?"

"Yes" (*sighing*)

"Well that's abominable? why dont you take a newspaper yourself?"

"Why dont you take one? you are always enquiring after "noos" as you call it."

"Why I did take one but the printer's dont leave it at my house any more, 'cause I hackelled about the price, and would't pay him."

"That's a good reason for the printer, if it is none for you. Well John did you get the paper."

"No daddy, just as Mr. Neitherside was done in come Mr Hockit and Mr. Knabit, and I come back."

"Confound my ill luck—go back do you hear? and ask Mr. Liberal if he will be kind enough—do you hear?—kind enough to lend me any northern paper he may have, or if he has not one ask him to lend you yesterdays paper again, or the day before, or the day before that, or last Saturdays; or, do you hear? any of the last week's papers. do you hear?"

"Yes daddy."

"I am determined on going right away and subscribe for a noospaper; I will not be so pestered with the trouble of borrowing from unaccommodating neighbors."

"You are right Mr. Eagernoos, the printers only ax five dollars right down & then you have a whole year to pay t'other five dollars in, and then you can dispute the bill and they will send the noospaper three months after that afore it is settled—them folks that brings the paper always throws it into a house what had taken it, never thinking the subscriber is done over."

"Here comes John—well John, have you got the paper?" "No daddy the neighbors borrowed all the old papers, and Miss Parrot sent to get the morning papers as soon as they were done with."

"The devil she did—then I may hang up my fiddle 'till sundown, for when she begins to read 'tis from alpha to omega. Give me my hat John do you hear?—Never mind breakfast neighbor Shallow will you accompany me to the printing office? I will subscribe immediately: five dollars did you say? I would give twenty five before I would suffer such impertinence. If I lend *my paper* I wish I may be—"